

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

ROBERTO ALONSO RUIZ PAREJA	§	
	§	
V.	§	CIVIL ACTION NO. 5:24-CV-78-RWS-
	§	JBB
FCI TEXARKANA WARDEN	§	

ORDER

Petitioner Roberto Alonso Ruiz Pareja, proceeding *pro se*, filed the above-captioned application for the writ of habeas corpus under 28 U.S.C. § 2241 complaining about the calculation of his sentence. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

On September 16, 2024, the Magistrate Judge issued a report recommending dismissal of the lawsuit because Petitioner failed to comply with the Court's July 24, 2024 order instructing Petitioner to either pay the statutory filing fee or provide an application for leave to proceed *in forma pauperis*. Docket No. 5. This report was returned to the Court as undeliverable. Docket No. 6. No forwarding address was provided by the facility.

A copy of the report was sent to Petitioner at his last known address but was returned as undeliverable. Docket No. 6. Local Rule CV-11(d) requires that *pro se* litigants provide the Court with a physical address and are responsible for keeping the Clerk advised in writing of their current physical address. Petitioner, however, has not advised the Court of his current mailing address or otherwise contacted the Court since August 5, 2024. *See* Docket No. 4. Accordingly, Petitioner has not filed any objections.

Because no objections to the Magistrate Judge's report have been filed, Petitioner is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the

unobjected-to factual findings and legal conclusions accepted and adopted by the District Court.
Duarte v. City of Lewisville, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the report of the Magistrate Judge. Upon such review, the Court has determined that the report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

ORDERED that the report of the Magistrate Judge (Docket No. 5) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled application for the writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court. Fed. R. Civ. P. 41(b).

So ORDERED and SIGNED this 22nd day of October, 2024.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE